

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

MARY MURPHY,

Plaintiff,

v.

WEST PUBLISHING
CORPORATION,

Defendant.

Case No. 6:23-cv-116-ACC-DCI

ORDER REGARDING DEFENDANT'S
MOTION FOR ENTRY OF
A FEDERAL RULE OF EVIDENCE 502(d) ORDER

This cause is before the Court on Defendant West Publishing Corporation's Motion for Entry of a Federal Rule of Evidence 502(d) Order. In consideration thereof, the motion is granted, and the Court orders as follows:

1. This Order shall be applicable to and govern all deposition transcripts and/or videotapes, and documents produced in response to requests for production of documents, answers to interrogatories, responses to requests for admissions, affidavits, declarations and all other information or material produced, made available for inspection, or otherwise submitted by any of the parties in this litigation as well as testimony adduced at trial or during any hearing (collectively "Information").

2. The production or disclosure of privileged or work-product protected documents, electronically stored information ("ESI") or Information, whether inadvertent or otherwise, is not a waiver of the privilege or protection from discovery in this case or in any other federal or state proceeding. This Order shall be interpreted to provide the maximum protection allowed by Federal Rule of Evidence 502(d).
3. Accordingly, there is no need for a party to demonstrate that the production or disclosure was inadvertent or that reasonable steps were taken to prevent such disclosure or production.
4. If, during the course of this matter, a party produces or discloses a document or any other piece of Information the party claims is privileged or protected, that party may give notice to the receiving party in writing. The document or Information shall be returned by the receiving party, and all copies, notes, quotations or summaries thereof will be destroyed within five (5) days and certification of such return and destruction will be provided in that same timeframe.
5. Nothing contained herein is intended to or shall serve to limit a party's right to conduct a review of documents, ESI or Information (including metadata) for relevance, responsiveness and/or segregation of privileged and/or protected information before production.

6. The provisions of Rule 502(b) do not apply.

DONE and **ORDERED** in Orlando, Florida on July 26, 2023.



DANIEL C. IRICK
UNITED STATES MAGISTRATE JUDGE